

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

REBECCA ANN TOLEDO,

Plaintiff,

v.

KILOLO KIJAKAZI, Acting  
Commissioner of Social Security,

Defendant.

CASE NUMBER: 1:21-cv-01743-GSA

**ORDER GRANTING APPLICATION  
TO PROCEED WITHOUT  
PREPAYMENT OF FEES AND  
DIRECTING CLERK TO ISSUE NEW  
CASE DOCUMENTS**

(Doc. 2)

Plaintiff moves to proceed *in forma pauperis* under 28 U.S.C. § 1915. Doc. 2. Plaintiff's declarations in the motion satisfy the requirements under § 1915 to proceed *in forma pauperis*.

Accordingly, it is **ORDERED** that:

1. Plaintiff's application to proceed in forma pauperis (Doc. 2) is **GRANTED**.
2. The Clerk of Court is **DIRECTED** to issue the following documents: 1) summons, 2) Order re Consent or Request for Reassignment, 3) notice and form of consent/decline to proceed before a magistrate judge.
3. No scheduling order will issue until Defendant files the certified administrative record and the General Order 615 stay is lifted.
4. Counsel shall complete the form of consent/decline to proceed before a magistrate judge within 90 days of the issuance thereof, notwithstanding the stay.
5. Plaintiff need not serve the Commissioner nor submit service documents to the U.S. Marshall.
6. Service on the defendant shall proceed under the Court's E-Service program as

1 follows. Once the summons is issued, the Clerk of Court shall deliver to the  
2 Commissioner of Social Security Administration and the United States Attorney's  
3 Office at their designated email addresses a notice of electronic filing of the action  
4 along with the summons and complaint. The Commissioner has agreed not to raise  
5 a defense of insufficient service of process if provided with notice of a complaint as  
6 detailed in this order. This order is not intended to prevent parties from making any  
7 other motions that are appropriate under the Federal Rules of Civil Procedure.

8  
9 IT IS SO ORDERED.

10 Dated: **December 9, 2021**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE